

State of South Dakota

EIGHTY-FOURTH SESSION LEGISLATIVE ASSEMBLY, 2009

264Q0776

SENATE CONCURRENT RESOLUTION NO. 9

Introduced by: Senators Kloucek, Frysliie, Gant, Maher, Miles, Novstrup (Al), and Peterson and Representatives Lange, Dreyer, Feickert, Hunhoff (Bernie), Killer, Kirschman, Kopp, Lederman, Lucas, Moser, Novstrup (David), Nygaard, Olson (Betty), Schrempp, Sly, Sorenson, Thompson, and Wismer

1 A CONCURRENT RESOLUTION, Opposing certain practices by corporations in the
2 genetically modified and genetically engineered seed industry.

3 WHEREAS, multinational corporations engaged in the development of genetically modified
4 (GM) and genetically engineered (GE) seed, including Monsanto, have on occasion shown a
5 pattern of disregard for the well-being of family farmers; and

6 WHEREAS, it has been alleged that these corporations have attempted to monopolize the
7 genetically modified (GM) and genetically engineered (GE) corn and soybean seed markets and
8 conspired to restrain trade in those markets; and

9 WHEREAS, it has been further alleged that these corporations conspired to fix the prices
10 of genetically modified (GM) and genetically engineered (GE) corn and soybean seeds and
11 rushed genetically modified (GM) and genetically engineered (GE) seeds to market without
12 adequate testing for risks to human and animal health and the environment from such seeds and
13 crops; and

14 WHEREAS, industry leader Monsanto has on numerous occasions sued farmers for the



1 age-old practice of saving seeds, and holds that it is illegal for farmers even to save seeds that
2 have been cross-pollinated by genetically modified (GM) or genetically engineered (GE) seeds
3 which have blown onto their fields from neighboring farms; and

4 WHEREAS, these corporations have allegedly engaged in the international imposition of
5 excessive "technology fees" upon farmers; and

6 WHEREAS, in South Dakota, eighty to ninety percent of corn grown is from genetically
7 modified (GM) or genetically engineered (GE) seed; and

8 WHEREAS, the technology fee charged by Monsanto for genetically modified (GM) or
9 genetically engineered (GE) corn has reached as high as one hundred fifty dollars per bag; and

10 WHEREAS, even though genetically modified (GM) and genetically engineered (GE)
11 soybeans were developed in part through research activity at South Dakota State University,
12 Monsanto retains the rights to market the results of such research; and

13 WHEREAS, Monsanto has pursued legal actions and engaged in other intimidating conduct
14 against farmers who are claimed to have violated technology user agreements:

15 NOW, THEREFORE, BE IT RESOLVED, by the Senate of the Eighty-fourth Legislature
16 of the State of South Dakota, the House of Representatives concurring therein, that the South
17 Dakota Legislature is concerned about practices in the genetically modified (GM) and
18 genetically engineered (GE) seed industry related to possible restraint of trade, concentration,
19 and monopolization and the resulting excessively high technology fees charged by the industry
20 as well as intimidating and uncompetitive industry practices that are detrimental to South
21 Dakota's agricultural producers and South Dakota's economy; and

22 BE IT FURTHER RESOLVED, that Legislature finds that technology fees assessed against
23 agricultural producers in conjunction with the use of genetically modified (GM) and genetically
24 engineered (GE) seed in South Dakota have at times been exorbitantly high. The Legislature

- 1 strongly urges the industry to reduce technology fees for the well-being of South Dakota's
- 2 agricultural producers and institutions and for the benefit of South Dakota's agricultural
- 3 economy.